

REMARKS/ARGUMENTS

Claim 1 has been amended by incorporating subject matter of claim 5 into it. Claim 5 has been canceled.

✦ Claim 1 has also been amended by deleting Hf from the claim. Claims 8 and 9 have been canceled.

Claim 2 has been canceled.

New claims 17-21 have been added. These claims correspond to claims 3, 4, 6, 7 and 10, respectively, except that they are directed to more specific embodiments/ranges. Support for these new claims exists throughout the present application, including the identified claims as originally filed.

Claims 1, 3, 4, 6, 7 and 10-21 are pending in the application, although claims 11-16 have been withdrawn from consideration. Applicants intend to seek rejoinder as appropriate upon indication of allowable subject matter.

The Office Action rejected claims 1-10 under 35 U.S.C. § 112, second paragraph, as being indefinite because of the phrase “free of” in claim 1 and because “they are directed to an alloy lacking proportions.” Applicants respectfully submit that the above amendments to claim 1 have rendered these rejections moot, and that these rejections should be reconsidered and withdrawn.

The Office Action rejected claims 1-5 and 7-10 under 35 U.S.C. § 103 as obvious over JP 06-240392 (“JP 392”), and claim 6 under 35 U.S.C. § 103 as obvious over JP 392 in view of JP 09-157780 (“JP 780”). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of these rejections.

JP 392 discloses alloys requiring the presence of, among other ingredients, 0.1-5% Hf. That is, Hf is a required ingredient in JP 392. Accordingly, JP 392 neither teaches nor

suggests the claimed alloys which do not contain Hf, but rather actually teaches away from the claimed alloys by requiring the presence of Hf. Furthermore, JP 392 requires the presence of additional characteristics (for example, 0.1-10% W and/or Mo; 0.005-0.1% rare earth elements) which are not required by the present invention. Given all of these requirements to be satisfied, JP 392 would not lead one of ordinary skill in the art in a different direction such that the claimed alloys are obtained.

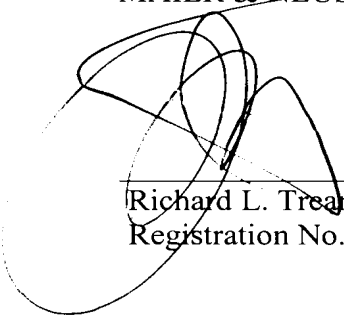
JP 780 cannot compensate for JP 392's fatal deficiencies. JP 780 discloses alloys requiring the presence of 5-10% W (and, consequently, a corresponding amount of the corresponding carbide), and would not motivate one of ordinary skill in the art to modify JP 392 in such a way as to yield the invention alloys having the specified requirements.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 103.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Richard L. Treanor
Registration No. 36,379

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Jeffrey B. McIntyre
Registration No. 36,867